

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated January 17, 2007, has been received and its contents carefully reviewed.

Claims 1-43 are rejected by the Examiner. With this response, claims 1, 16, and 33 are amended. Claims 1-43 remain pending in this application.

In the Office Action, claims 1-3, 10-12, 14-18, 25-27, and 29-32 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,786,019 to Thiers (hereinafter “Thiers”). Claims 4-9, 13, 19-24, 28, and 33-43 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Thiers in view of U.S. Patent 5,858,160 to Piacente (hereinafter “Piacente”).

Applicants thank the Examiner for the in person interview conducted on July 9, 2007.

Claim 1 recites a plank having a combination of features including, for example, “at least one bulk pattern arranged adjacent the plurality of edge patterns and proximate at least one second portion of the perimeter, wherein elements of at least one bulk pattern and elements of an edge pattern adjacent the at least one bulk pattern correspond in location and orientation to form a substantially continuous pattern.” Applicants submit that Thiers and Piacente, analyzed singly or in combination, do not teach or suggest at least this quoted combination of features. For example, Thiers does not disclose the orientation or location of elements of edge or bulk patterns and accordingly does not teach or suggest “wherein elements of at least one bulk pattern and elements of an edge pattern adjacent the at least one bulk pattern correspond in location and orientation to form a substantially continuous pattern.” Applicants further submit that this deficiency in the teaching of Thiers is not cured by Piacente. Accordingly, Applications submit that claim 1, and claims 2-15 depending from claim 1 are each allowable over Thiers and Piacente.

Claim 16 recites a flooring system having a combination of features including “at least two planks” and “wherein each plank includes: at least one bulk pattern arranged adjacent the plurality of edge patterns and proximate at least one second portion of the perimeter, wherein elements of at least one bulk pattern and elements of an edge pattern adjacent the at one least bulk pattern correspond with each other in orientation and position to form a substantially continuous pattern; [and] wherein elements of the edge patterns of two of the at least two planks correspond with each other in location and orientation to form a substantially continuous pattern crossing the two of the at least two planks.

Applicants further submit that as Thiers and Piacente, analyzed in combination do not teach “wherein elements of the edge patterns of two of the at least two planks correspond with each other in location and orientation to form a substantially continuous pattern crossing the two of the at least two planks,” as recited in claim 16. For Example, in the Office Action, the Examiner cites Thiers as allegedly teaching “the edge patterns of at least two planks form a continuous pattern.” Applicants submit that even taking the Examiner’s conclusion as correct, Thiers does not teach or suggest the orientation or location of elements of the edge patterns or the relationship between the elements of two planks. Applicants further submit that this deficiency in the teaching of Thiers is not cured by Piacente. Accordingly, Applications submit that claim 16 is allowable over Thiers and Piacente for at least this additional reason.

Applicants note that claims 17-32 each depends from claim 16 and that each includes by reference all of the elements of claim 16. Accordingly, Applicant submits that claims 17-32 are each allowable over Thiers and Piacente based on their dependencies and for the reasons given for claim 16.

Applicants first submit that Thiers and Piacente do not teach or suggest “wherein elements of at least one bulk pattern and elements of an edge pattern adjacent the at one least

bulk pattern correspond with each other in orientation and position to form a substantially continuous pattern" as recited in claim 16 for the same reasons given for claim 1 above and that claim 16 is allowable over "Thiers and Piacente" for at least this reason.

Applicants believe the foregoing amendments place the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. *A duplicate copy of this sheet is enclosed.*

Respectfully submitted,

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By _____


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